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FEB 13 2006 *pl*

ROBERT H. SHENWELL, CLERK
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

2:06cv257

JUDGE TRIMBLE

MAG. JUDGE WILSON

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST COURT
MIDDLE DIST. OF LA

2006 FEB -8 P 2:24

DELLA GASTZKE, ET AL.

CIVIL ACTION

VERSUS

NO. 05-1112-JJB-SCR

LOUISIANA CLERK OF
COURT ASSOCIATION, ET AL.

SIG. _____
BY DEPUTY CLERK

RULING AND ORDER

This matter is before the court on a motion by defendants to transfer this action to the Western District of Louisiana (Lake Charles Division) for consolidation with *Karen Robison Woodard v. James Andrus*, Civil Action No. 03-2098, currently pending in that court. The motion is opposed. There is no need for oral argument.

This is a class action challenging the civil filing fee calculations of the clerks of court in Louisiana. The *Woodard* action was filed almost two years ahead of *Gastzke*. While the only defendant in *Woodard* is the Clerk of Court of the 14th Judicial District Court, there is no question that the "first to file" rule is clearly applicable. There is substantial overlap in the issues raised in the two lawsuits. It is in the interests of judicial efficiency and economy that this matter be transferred to the Western District. For the reasons more fully stated in defendants' briefs, the court finds that the motion to transfer should be granted.

*

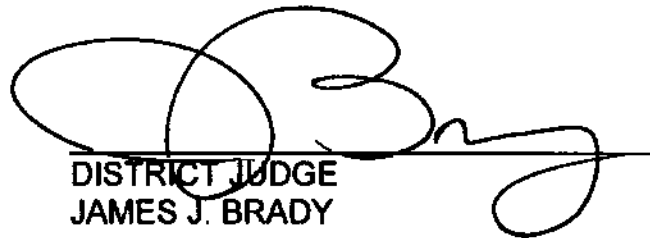
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ACCORDINGLY, IT IS ORDERED that the motion for transfer be GRANTED

and this action is hereby transferred to the Western District of Louisiana, Lake Charles Division.

Baton Rouge, Louisiana, February 8th, 2006.


DISTRICT JUDGE
JAMES J. BRADY

A TRUE COPY

Nicole A. Samps 02/08/06

Deputy Clerk Date
U. S. District Court
Middle District of Louisiana
Baton Rouge, Louisiana

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA
OFFICE OF THE CLERK

Lawrence Talamo
Clerk of Court

Telephone: 225-389-3500
Facsimile: 225-389-3501

February 8, 2006

United States District Court
Western District of Louisiana
300 Fannin Street
Shreveport, LA 71101
318-676-4273

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FEB 13 2006 *PL*

ROBERT H. SHERWELL, CLERK
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

Re: Civil Action 05-1112-JJB-SCR; Gastzke v. Louisiana Clerk of Court Association

Dear Clerk:

Pursuant to order transferring the above captioned case to your Court, transmitted herewith are:

- ☒ Certified copy of docket entries
- ☒ Certified copy of transferral order
- ☒ Original case file documents — record document # 1 to 89

Please acknowledge receipt of the above documents on the copy of this letter.

Respectfully Submitted,
Lawrence Talamo, Clerk

2:06cv257
JUDGE TRIMBLE
MAG. JUDGE WILSON

By: *Nicole R. Goups*
Deputy Clerk